

## Definitions & Jurisdiction

**Annexation** - the adding of real property into the boundaries of an incorporated municipality.

**Dimensional Variance** – permission to do something that is not permitted by the Zoning Ordinance. It must be justified by either an unnecessary hardship or a practical difficulty.

**Plat Vacation** - request to vacate an existing plat or to remove a public right-of-way from public control (such as any portion of a public alley or street).

**Rezoning** - to change the zoning of property from one District to another for the purpose of permitting more or different uses.

**Site Development Plan** – a plan showing the details of how a single site is to be developed.

**Special Exception** – a use of property within a zoning district other than a principally permitted use. The use is generally considered undesirable or incompatible, therefore requiring detailed review and special regulations.

**Subdivision** - the division of a lot, parcel, or tract of land into two or more lots, tracts, parcels, or other division of land for sale, development, or lease.

**Use Variance** – permission to allow a use that is prohibited in a given zoning district because of an “unnecessary hardship”. Approval of a Use Variance remains with the use, not the land or landowner.

## When is a Public Hearing Required?

The **Plan Commission** must hear...

- Amendments to Maps and Ordinances
- Annexations
- Planned Unit Developments
- Plat Vacations or Amendments
- Site Development Plans (no public notice required)
- Zone Map Changes
- Subdivisions and Amendments

The **Board of Zoning Appeals** must hear...

- Dimensional Variances
- Special Exceptions
- Use Variances
- Appeals of the Director’s Decision



*For More Information Contact:*  
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## You've Been Notified of a Public Hearing

*An informational guide  
prepared by the  
Greenwood Planning  
Department*

## You've Been Notified of a Public Hearing

You have been notified that a public hearing is going to occur that may be of interest to you. You have received this notice because you are a neighbor within 300 feet or two properties from a subject piece of land that will come up for discussion before the City of Greenwood Plan Commission or Board of Zoning Appeals. You and anyone else interested in the proposal have three options for voicing your concerns at this hearing: you can speak in person at the meeting, submit your written concerns to the petition's file, or submit your written concerns for discussion in the Staff Report and reviewed by the Board/Commission members prior to the hearing.

### Speaking in Person.

Persons who wish to voice their concerns need to appear at the meeting. You may wish to contact staff and/or review the proposal at the Planning Department office before outlining your concerns.

### Documents Submitted to the File.

Written concerns regarding a proposal will be accepted into the file up to five days prior to the hearing. This enables staff, members, the applicant, and other members of the public time to review these concerns prior to the hearing if they choose.

### Documents Submitted to File for Review.

Persons who wish to have their concerns considered in the Staff Report, and distributed to members for review at the hearing must submit their written concerns no less than 7 days prior to the hearing. This enables staff time to discuss your information in the Staff Report, as well as prepare copies for distribution at the hearing.

## Rules of Procedure for the Hearing

The Plan Commission President or the Chairman of the Board of Zoning Appeals directs all public hearings, whichever is hearing the proposal. The Board/Commission members have received a Staff Report in advance of the meeting. This report is prepared by the Planning Department staff and thoroughly analyzes the proposed project, how it complies with the Comprehensive Plan and the current standards of the Zoning and/or Subdivision Control Ordinance, and discusses pertinent issues and public comment submitted to the file.

Usually the public hearing will open with the Chairman/President reading the rules of procedure.

The applicant, or his representative, is then given time to present his proposal in detail.

The Chairman will then open the floor to anyone in the public wishing to speak in favor of or against the proposal. The applicant takes down all the questions and concerns from the public and is then allowed time to answer or rebut all of the questions raised. If the applicant has not addressed all of the public's concerns, the Chairman can request that the question be repeated for the applicant to answer.

Once the Chairman is satisfied that all issues have been addressed, he then closes the hearing and allows the Commission or Board members to ask questions of the applicant. The Board/Commission will then make a motion for one of the following:

- Approve/make favorable recommendation;
- Deny/make unfavorable recommendation;
- Continue the petition for further deliberation

## What Happens Next?

### Annexation.

If a recommendation has been made by the Plan Commission regarding an annexation, the proposal is then forwarded to the City Council (the legislative body) who then makes the final decision at their public meeting.

### Rezoning.

If a recommendation has been made by the Plan Commission regarding a zoning amendment, the proposal is then forwarded to the City Council (the legislative body) who then makes the final decision at their public meeting.

### Site Development Plans.

Decisions made by the Plan Commission regarding site development plans are final unless an appeal is filed through the courts.

### Subdivisions & Plat Vacations.

Decisions made by the Plan Commission regarding subdivisions are final unless an appeal is filed through the courts.

### Variance or Special Exception.

Decisions made by the Board of Zoning Appeals regarding a variance or special exception is final unless an appeal is filed through the courts.

### Tabled or Continued.

A petition may be tabled or continued if additional information is needed before the Board/Commission can make a decision. If this occurs, the project will be heard at the next regularly scheduled meeting or a future meeting determined by the Board/Commission. Area neighbors are NOT re-notified of a continued hearing.